THE HON'BLE SRI JUSTICE C.V.RAMULU

REVIEW W.P.M.P.NO.24887 OF 2006
IN
WRIT PETITION NO.21993 OF 2004

ORDER;

This review petition is filed by the writ petitioner seeking review of the order passed by this Court on 11.7.2006 in W.P.No.21993 of 2004 on various grounds.

2. The contention of the learned counsel for the petitioner is that when the appeal filed by the society was pending, he got the respondents 4 to 6 impleaded in the said appeal and the rights of the petitioner as well as respondents 4 to 6 have already been decided, therefore, making an observation in the judgment under review which reads as under is unwarranted:

> " As such in the absence of any positive and binding directions against respondents 4 to 6, it cannot be said that the allotments made in favour of respondents 4 to 6, though during the pendency of C.T.A.No.169 of 2001, the same cannot be set aside either in the proceedings before the Cooperative Tribunal or in this writ petition. It is always open for the petitioner to raise an appropriate dispute before the appropriate forum and work out his remedies as available under law"

I am of the opinion that there is no necessity of reviewing such observations made by this Court. If really, the petitioner is aggrieved by any allotments made by the society against the respondents 4 to 6, it is always open for him to raise a dispute under Section 61 of the A.P. Cooperative Societies Act and work

out his remedies. Merely because the respondents 4 to 6 were impleaded as respondents in C.T.A.No.169 of 2001 in which the petitioner himself was one of the respondents, the *inter se* dispute between the petitioner and respondents 4 to 6 herein cannot be said to have been decided once for all. Therefore, there is no necessity of review in this respect.

3. The learned counsel for the petitioner has pointed out that it was observed by this court "insofar as respondents 4 to 6 are concerned, they are, admittedly, senior members of the society when compared with the petitioner." It seems there is some mistake occurred in such observation. It should have been respondents 4 and 6 who are admittedly senior members of the society when compared with the petitioner. To that extent the order requires correction to be read as "from the facts narrated above, it reveals that insofar as respondents 4 and 6 are concerned, they are, admittedly, senior members of the society when compared with the petitioner." Except this, there is no error apparent on the face of record which calls for review of the order made in W.P.No.21993 of 2004 dated 11.7.2006.

4. Subject to the above corrections, the review petition stands disposed of accordingly. The Registry is directed to issue fresh order after correcting those words at page No.8 last sentence, which spread over to 9th page first and second lines.

C.V.RAMULU, J.

Date: 17th November 2006.
BSB